

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 5/19/2015	(3) CONTACT/PHONE Jo Manson, Planner III/ (805) 781-4660	
(4) SUBJECT Hearing to consider an amendment to the Growth Management Ordinance, Title 26 of the County Code, to update the fiscal year references for the maximum number of new dwelling units allowed for the Nipomo Mesa area for Fiscal Year 2015-2016 and maintain the 0% Cambria growth rate per fiscal year for the period from July 1, 2015 through June 30, 2018; exempt from the California Environmental Quality Act (CEQA). Districts 2 and 4.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt the attached ordinance to approve the amendments to Title 26 of the County Code, Growth Management Ordinance as set forth in Attachment 2.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. 30 minutes) <input type="checkbox"/> Board Business (Time Est.____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>5/5/15</u> , Item #1 (introduction)	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa Howe			
(18) SUPERVISOR DISTRICT(S) Districts 2 and 4			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Jo Manson, Planner III

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 5/19/2015

SUBJECT: Hearing to consider an amendment to the Growth Management Ordinance, Title 26 of the County Code, to update the fiscal year references for the maximum number of new dwelling units allowed for the Nipomo Mesa area for Fiscal Year 2015-2016 and maintain the 0% Cambria growth rate per fiscal year for the period from July 1, 2015 through June 30, 2018; exempt from the California Environmental Quality Act (CEQA). Districts 2 and 4

RECOMMENDATION

It is recommended that the Board adopt the attached ordinance to approve the amendments to Title 26 of the County Code, Growth Management Ordinance as set forth in Attachment 2.

DISCUSSION

On August 12, 2008, the Board of Supervisors adopted changes to the Growth Management Ordinance (GMO), Title 26 of the County Code, to provide clean up and housekeeping updates of outdated references and information, and simplification for better understanding and efficiency. These changes have been implemented (Ordinance No. 3155). During preparation of the clean- up amendments planning staff identified that amendments to Section 26.01.070, General Procedures, were necessary prior to June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013 and June 30, 2014 and the changes have been implemented (Ordinance Nos. 3178, 3194, 3213, 3227, 3241 and 3260). Planning staff have identified three (3) amendments to Section 26.01.070, General Procedures that are necessary prior to June 30, 2015. This staff report addresses the proposed amendment to the Growth Management Ordinance that was introduced May 5, 2015.

The proposed ordinance which specifies the exact text to be revised and new text to be inserted by Section for approval by the Board of Supervisors is in Attachment 1. The proposed ordinance for adoption today is in Attachment 2.

BACKGROUND

Attachment 1 shows proposed revisions to the Growth Management Ordinance, Title 26 of the County Code. Proposed text marked for deletion has a ~~strikeout~~ and the proposed text to be inserted is underlined. The proposed revisions are described below:

1. Section 26.01.070, h. - The current text regarding the maximum number of new dwelling units allowed in the Nipomo Mesa area refers to "...the period of July 1, 2014 through June 30, 2015...". The proposed text changes refer to "...the period of July 1, 201415 through June 30, 201516".

Why the above text is proposed for change: The current text will soon be outdated and needs to be revised to address the upcoming Fiscal Year 2015-2016. Each fiscal year the date references require revision to stay current with the upcoming fiscal year period.

2. Section 26.01.070, j. (1) (a) (i) – On May 22, 2012 (Ordinance No. 3227) the Board of Supervisors adopted the current text regarding the Maximum Annual Allocation for the community of Cambria. The 2012 staff report presented by planning staff noted that through the most recent update to the North Coast area plan, the Planning Commission received testimony that accepting allocation requests for the Cambria area was confusing to applicants and created potentially false expectations for service. The recommendation was to set the growth rate at 0% in order to discontinue the stock-piling of allocation requests that could potentially be selected at the time the moratorium is lifted. In addition, the recommendation was to not accept further allocations for the growth management waiting list in Cambria due to the potential for misunderstanding and expectations of service.

On February 10, 2009 the Board of Supervisors approved the 2008 Annual Resource Summary Report. On June 8, 2010 the Board of Supervisors approved the 2009 Annual Resource Summary Report. The reports noted that the Cambria Community Services District (CCSD) has completed a Water Master Plan which calls for continued water conservation, the use of recycled water for irrigation with non-potable water, and desalinated seawater to augment its potable water supply. The report also noted that the CCSD is under a Water Shortage Emergency and has ceased issuing water connections until it obtains an additional water supply.

On April 26, 2011, the Board of Supervisors approved the 2009-2010 Annual Resource Summary report. The 2011 staff report presented by planning staff noted that Cambria was still at a Level of Severity III for water supply and that the Water Shortage Emergency was still in place.

On March 12, 2013, the Board of Supervisors approved the 2010-2012 Resource Summary Report. The 2013 staff report presented by planning staff noted that Cambria was still at a Level of Severity III for water supply and that the Water Shortage Emergency was still in place.

On May 5, 2015, the Board of Supervisors approved the 2012-2014 Resource Summary Report. The 2015 staff report presented by planning staff noted that Cambria was still at a Level of Severity III for water supply and that the Water Shortage Emergency was still in place.

The proposed text changes state “Allocation for the years July 1, 2012~~5~~ through June 30, 2015~~8~~. Based on the County 2005 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on December 20, 2005, and the County 2008 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on February 10, 2009, and the 2009-2010 Resource Management System (RMS) Resource Summary Report approved by the Board of Supervisors on April 26, 2011, the 2010-2012 Resource Summary Report approved by the Board of Supervisors on March 12, 2013 and the 2012-2014 Resource Summary Report approved by the Board of Supervisors on May 5, 2015 the Maximum Annual Allocation shall be set at 0% per fiscal year for the period from July 1, 2012~~5~~ through June 30, 2015~~8~~, resulting in no new allocation requests other than those accompanied by an intent-to-serve letter from the Cambria Community Services District for transferred meters and 8 grandfathered Allocations for new residences in Cambria each fiscal year in the period from July 1, 2012~~5~~ through June 30, 2015~~8~~.”

Why the above text is proposed for change: The fiscal year date references are extended to address the County 2005 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on December 20, 2005, the County 2008 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on February 10, 2009, the 2009-2010 Resource Management System Resource Summary Report approved by the Board of Supervisors on April 26, 2011, the 2010-2012 Resource Summary Report approved by the Board of Supervisors on March 12, 2013 and the 2012-2014 Resource Summary Report approved by the Board of Supervisors on May 5, 2015.

3. Section 26.01.070, j. (1) (b) - The current text refers to Section 26.01.070, j. (1) (a) (i) with reference to “...the period of July 1, 2012 through June 30, 2015...”. The proposed text changes refer to “...the period of July 1, 2012~~5~~ through June 30, 2015~~8~~”.

Why the above text is proposed for change: The current text requires revision to be consistent with the revision made to Section 26.01.070, j. (1) (a) (i).

OTHER AGENCY INVOLVEMENT/IMPACT

Referrals were sent to the South County Advisory Council, North Coast Advisory Council, Cambria Community Services District and the Nipomo Community Services District. County Counsel has reviewed and approved the proposed ordinance as to form and codification.

FINANCIAL CONSIDERATIONS

The proposed ordinance amendment is covered by the current department budget as a county-initiated amendment.

RESULTS

Adoption of the proposed ordinance will allow the amendment to become effective in 30 days. Denial of any of the amendments will mean that the proposed amendment would not become effective and the growth rate would revert to the countywide growth rate.

This hearing is consistent with the countywide goal of promoting prosperous and well governed communities.

ATTACHMENTS

1. Proposed Ordinance showing additions and deletions
2. Ordinance for Adoption